

CPAM 2005-0005, Amendments to the Rural Policies of the Loudoun County Comprehensive Plan

Strike-through language to be deleted; double-underlined text to be added.

REVISED GENERAL PLAN

Delete “Rural Policy Area” text (Revised General Plan, p. 2-11b.):

~~The southern tier of the Rural Policy Area will provide for residential densities of one dwelling unit per 50 acres or one dwelling unit per 20 acres, if clustered, to reinforce the existing low-density pattern and ensure retention of rural economic uses. Residential development will be allowed in the balance of the Rural Policy Area at densities of one dwelling unit per 20 acres or one dwelling unit per 10 acres, if clustered. Clusters will incorporate conservation design techniques. Provisions to allow subdivision for farm viability and family will be made as long as net densities are not exceeded.~~

Add new “Rural Policy Area” text (Revised General Plan, p. 2-11b):

The Rural Policy Area is divided into two tiers, the northern tier and southern tier, which recommend different base residential densities in response to the dominant rural land use and development patterns of these distinct geographic areas. The northern tier (defined generally as north of Goose Creek and North Fork of Goose Creek to the County border with Montgomery and Frederick Counties, Maryland; Jefferson County, West Virginia; and Clarke County Virginia) is characterized by a mix of smaller lots interspersed with larger parcels still in agricultural use. The southern tier (defined generally as south of Goose Creek and North Fork of Goose Creek to the County border with Clarke and Fauquier Counties, Virginia) is characterized by an existing large lot pattern and is the center of Loudoun’s equine industry. Appropriate zoning districts reflecting these historic lot patterns will be developed and mapped for the respective tiers. The Rural Policy Area is planned for rural economy uses and limited residential development. However, Rural Residential rezonings to higher densities will be permitted contingent on the mitigation of impacts, such as capital facilities and transportation to the area. Among residential uses, clustered developments are the preferred development pattern in the Rural Policy Area. Clustered developments allow landowners to group residential lots in a traditional community pattern so that a substantial amount of the remaining land is available for rural economy uses, traditional agriculture and/or open space.

Amend “Land Use Pattern and Design” text (Revised General Plan, p. 7-7):

The Plan recognizes the failure of previous County efforts to control rural residential growth and proposes new policies, incentives and supporting regulations that will lower overall densities. Future residential development ~~will~~ should be clustered (using conservation design techniques) ~~and will to~~ to protect groundwater resources, preserve open space and the Green Infrastructure, enhance the rural economy, and reduce potential congestion on rural roads. ~~The Rural Policy Area will continue to have limited school capacity along with other capital facilities.~~

Amend “Rural Residential text (Revised General Plan, p. 7-14 through 7-15):

The basic concept underpinning the County’s strategy for the Rural Policy Area is to protect the land resource of the area for rural economy uses. Such uses require prime agricultural soils; protect open land and rural character; maintain fiscal balance; and relieve the strain of rural residential development on rural road capacity and service delivery. To accomplish these goals, the County must limit the number of houses in the Rural Policy Area and direct new residential development, there and countywide, to locations that are consistent with County goals. A variety of residential development options exist within the Rural Policy Area, including conventional subdivision, spin-off lots, and rural clusters. The appropriateness of each option will vary depending on site-specific characteristics such as parcel size, road access and location.

The County recognizes, ~~however,~~ that rural residential living provides a high quality of life and responds to a substantial market niche. The County is also aware that rural land values are in part related to the development potential for housing and as such retaining acceptable land value has been considered in establishing rural residential policies. An appropriate balance has been set that adheres to the following objectives.

- Provide for a wide variety of land parcel sizes that will meet the needs of the rural economy and provide room for growth of rural residential neighborhoods.
- ~~Require~~ Encourage rural residential clustering ~~on lots up to 3 acres~~ and ~~encourage~~ the use of communal water and wastewater systems. Analysis has shown that clustered lots are equal in value to “grid” lots at the same density.¹
- Require all rural residential development to use the conservation design technique.

The Plan provides two rural residential areas each with cluster options as described below.

1. The Southern Tier (defined generally as south of Goose Creek and North Fork of Goose Creek to the County border with Fauquier County and west of the Transition Policy Area)

This area is characterized by an existing large-lot pattern with a significant number of land parcels already under easement. It is the center of Loudoun’s equine industry and an important part of the rural economy. It surrounds Middleburg, a major tourist attraction, and includes many historic structures and sites including important Civil War sites of cultural importance and tourist interest. It covers a substantial portion of the Mosby Heritage Area and the Beaverdam Historic Roadways District (~~both proposed to be historic roadway districts~~) as well as several agricultural districts that already have established 50-acre minimum lot sizes. Limiting residential growth in this area will reduce the need for additional road capacity and support these programs. There is also strong citizen support for keeping Route 50, which bisects the area, a two-lane road that is the subject of a “traffic calming” initiative from Aldie in Loudoun County to Paris in Fauquier County. ~~As such, the Plan calls for this area to develop at a density of one dwelling unit per 50 acres with the option to cluster residential lots (up to 3 acres in size) at the equivalent of one dwelling unit~~

¹ Analyses of Value Retention of Rural Area Development Options (Loudoun County), Robert Charles Lesser & Company, August 2000.

per 20 acres.

The relationship of the natural landscape and residential development is significant in defining the rural character of the area.

2. The Remainder of the Rural Policy Area (north to and west of the Potomac River)

The ~~predominant~~ existing land use pattern in this area is mixed, with a large number of smaller lots interspersed with large parcels still in agricultural use. Many of the new rural economy uses in the area require land parcels ranging from 10 to 50 acres in size. Therefore, a balanced approach that provides for the further development of clustered rural residential neighborhoods while preserving large parcels for future rural economy enterprises is appropriate. Rural character will be preserved through conservation design and the implementation of the Green Infrastructure policies. Within this area, the Mountainside Development Overlay District, the Limestone Conglomerate Overlay District and the River and Stream Corridor Overlay District will provide special protection for these critical environmental features. ~~As such, the Plan calls for this area to develop at a density of one dwelling unit per 20 acres with the option to cluster residential lots (up to 3 acres) at one unit per 10 acres with 70 percent open space retained.~~

Delete Policy 2 under “Rural Residential Policies (Revised General Plan p. 7-15):

- ~~2. The southern part of the area is planned for rural economy uses and limited residential development at a density of one dwelling unit per 50 acres. In this area, residential densities can be increased up to one dwelling unit per 20 acres when it is developed in a clustered pattern in lots up to three acres leaving substantial amounts of land available for rural economy uses.~~

Add new Policy 2 under “Rural Residential Policies (Revised General Plan p. 7-15):

2. Rural Residential rezonings to higher densities may be appropriate and allowed in the northern and southern tiers of the Rural Policy Area at densities compatible with the existing development pattern for that area. All Rural Residential rezonings will be developed in a clustered pattern and meet established performance criteria, including traffic capacity limits, design standards (i.e. siting and buffering) and pose no threat to public health, safety and welfare.

Delete Policy 3 under “Rural Residential Policies (Revised General Plan p. 7-15):

- ~~3. The northern part of the Rural Policy Area is planned for rural economy uses and limited residential development at a density of one dwelling unit per 20 acres. Likewise, residential densities in this area can be increased up to one dwelling unit per 10 acres when it is developed in a clustered pattern in lots up to three acres leaving substantial amounts of land available for rural economy uses.~~

Add new Policy 3 under “Rural Residential Policies (Revised General Plan p. 7-15):

3. Rural Residential rezonings to higher densities will be contingent on the ability to mitigate the following impacts:
- a. Capital impacts

- b. Transportation impacts
- c. Preservation and protection of significant open space and opportunities for rural economic uses
- d. Compatibility with surrounding uses and the rural landscape
- e. Protection of significant site features and environmental resources

Amend Policy 8 under “Rural Residential Policies” (Revised General Plan, p. 7-16):

8. In order to enable ~~a property owner~~ the owners of large tracts to generate capital from the sale of a ~~small lot~~, the County will provide for a spin-off lot subdivision process. Spin-off lots ~~will not be limited by a minimum lot size~~, may be as small as 80,000 square feet, can be clustered, and ~~will can~~ be served by a private access easement ~~as long as the base density provided by the Zoning Ordinance for that area is maintained~~ the applicable zoning district. The lots created by the spin-off process would be counted against density permitted by the originating tract.

Amend Policy 11 under “Rural Residential Policies” (Revised General Plan, p. 7-16):

11. Rural Cluster developments allow landowners to group lots in a traditional rural community pattern while preserving the majority of the land base for rural economy uses. A Rural Cluster is the grouping of building units on small lots with the largest part of the site remaining in open land. ~~There is no minimum lot size for the clustered lots.~~ The cluster is both visual and spatial with the dwellings scaled and sited to maintain coherent relationships to each other and the surrounding landscape. The residual open land accounts for the overall lower density of the site and ~~will serves~~ to accommodate rural economy uses and preserve rural character.

Amend Policy 13 under “Rural Residential Policies” (Revised General Plan, p. 7-16):

13. In locating the open space required in the conservation design of a Rural Cluster, the following site features ~~will should~~ be considered to ensure that the land kept in open space provides for appropriate rural economy uses:
- a. Percent of open space area that is made up of prime agricultural soils;
 - b. Size of the area that is usable for agricultural production;
 - c. Contiguity of open space area to other designated open space or agricultural land;
 - d. Relationship of development of adjacent proper-ties to the agricultural activity on the open space area;
 - e. Relationship of non-agricultural use of the open space area to adjacent agricultural uses; and
 - f. Unique site features and Green Infrastructure implementation.

Amend Policy 14 under “Rural Residential Policies” (Revised General Plan, p. 7-16):

14. The County will identify options for affordable housing development in the rural area not covered by the ADU zoning ordinance and work towards an implementation plan.

Amend “Proffer Guidelines” text (Revised General Plan, p. 11-2):

4. Base density thresholds are to be specified by planning policy areas as follows:

- a. Rural Policy Area: The Rural Policy Area policies contained in Chapter Seven and related policies elsewhere in the ~~plan~~ Plan address the County’s rural strategy. ~~Both the planned density for the Rural Policy Area and the resulting zoning pattern do not portend future zoning map amendments. For zoning applications within the Rural Policy Area that propose higher densities than those permitted by the zoning district regulations applicable to the property capital facilities and transportation proffers will be anticipated. Such contributions will be used to mitigate the impacts associated with increased residential densities. Base density calculations will not be applied for rezonings in the Rural Policy Area. In the event that planned densities are to be equivalent to potential density in the rural zoning district(s), a specified base density figure is not necessary. However, the County anticipates that residential zoning map amendment applications within existing villages and other similar applications in the rural policy area will include capital facility contributions.~~

Amend “Rural Policy Area Design Guidelines text (Revised General Plan, p. 11-16):

1. Rural Clusters

a. Purpose and Function

Rural clusters allow lots to be ~~elustered~~ grouped in a traditional rural community pattern while retaining the majority of a site in common open space and/or rural economy lots. Rural clusters will support predominantly single-family detached residential development. Rural Residential rezonings to higher densities will be permitted in both tiers of the Rural Policy Area. Mitigation of the impacts associated with the increased residential densities of rezonings will be required. Clusters will should be designed based on conservation design techniques to protect groundwater resources, preserve open space and the Green Infrastructure, enhance the rural economy, and reduce potential congestion on rural roads.

b. Size

Clusters should comprise 5 to 25 lots ~~with no minimum lot size to~~ and be surrounded by conservancy rural economy lots and/or common open space. ~~Conservancy lots may be no smaller than seven acres in size and should average at least 30 acres per conservancy lot. While more than one cluster may be accommodated on a tract of land, such settlements should be physically and visually separated from adjoining residential and rural economy uses. A minimum of 80 percent of the tract should be placed in an open space easement and minimum of 70 percent of the tract would comprise common open space and conservancy lots. Any remaining development potential could be used in an open space preservation program.~~

c. Physical Character

The new rural cluster lots may be designed along a road and/or around a green/square or

historic site feature with the dwellings arranged in a logical relationship with one another and with the surrounding landscape. Lots sizes and setbacks should be flexible to provide a tight cluster and maximize open space. ~~Two clusters on the same tract should be spaced no closer than 800 feet.~~ While lots in the rural cluster may not front on an existing through road, the County will consider proposals to build a small bypass and to use the mature hedgerows and trees of the existing road in a new cluster design.

d. Location and Formation

The new rural cluster should generally have two points of access to an existing collector or secondary road. Every effort should be ~~make~~ made to keep existing villages and towns and new clusters visually distinct, ~~and these should be located no closer than 800 feet to existing settlements~~ The design and layout of the cluster should use existing topography, hedgerows, mature woodlands and other site features to blend with the rural and scenic quality of the landscape.

e. Land Uses

Single-family detached houses would be the permitted use in new rural clusters. The land not associated with the cluster itself should remain open for rural economy uses.

f. Transportation

No lot of a new rural cluster may front on an existing public road unless a substitute "bypass" road is constructed. Rural cluster lots should front on a paved public road; however, seven or fewer cluster dwellings may front on a private road.

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Loudoun County Comprehensive Plan**

Strike-through language to be deleted; double-underlined text to be added.

REVISED COUNTYWIDE TRANSPORTATION PLAN

Amend "Rural Policy Area Roads" text (Revised Countywide Transportation Plan, p. 3-10):

B. Rural Policy Area Roads

The *Revised General Plan* envisions substantially ~~reduces~~ reduced the residential densities that ~~will be permitted~~ in the Rural Policy Area. ~~At the permitted build-out of residential development there will be a reduction of 330,000 daily weekday vehicle trips that would have had to be accommodated under the previous plan. Therefore, t~~The rural road network, which includes many of the scenic roadways, is essential for preserving rural character, ~~and is supportive of tourism and the rural economy, will and should~~ be maintained as either two lane paved roads or as unpaved gravel roads with VA Route 7 the only exception.

- **US Route 15**, running north-south, is a state-designated Virginia Byway with historic landmarks located along it.² US Route 15 will remain a two-lane rural highway in Loudoun County with safety improvements to be built as needed and funded. Currently, a safety improvements project is funded for the portion of US Route 15 between the Potomac River at the north end to the northern corporate limits of the Town of Leesburg at the south end.
- **US Route 50** runs east-west between Fairfax and Fauquier Counties. In the Rural Policy Area there is a Traffic Calming Demonstration Project funded by the US Department of Transportation (USDOT) from Lenah (in Loudoun County) to Paris (in Fauquier County). This traffic calming project will maintain US Route 50 as a two-lane highway. State Virginia Byway designation and Loudoun County Historic Roadway District designation will be sought for the portion of Route 50 running through the Mosby Heritage Area in recognition of the road's scenic and historic character.
- **VA Route 7** is a primary arterial highway running east-west through Loudoun County. In the Rural Policy Area, it connects from the western boundary of the County with Clarke County to the western boundary of the Town of Leesburg. VA Route 7 is currently planned to be a six-lane primary arterial highway within these limits. Of particular concern is the portion of VA Route 7 between the interchanges with VA Route 9 and West Market Street (in Leesburg), which needs to be upgraded to a six-lane limited access highway from its configuration as a four-lane controlled access highway including frontage roads with improvements made to the Route 7/9 interchange. This limited access highway upgrade was approved by the Board of Supervisors as a high priority implementation project in the fall of 1999.
- **VA Route 9** will be maintained as a two-lane minor arterial highway in the Rural Policy

² A Virginia Byway is defined as a road, designated as such by the Commonwealth Transportation Board (CTB) having relatively high aesthetic or cultural value, leading to or within areas of historical, natural or recreational significance.

Area. VA Route 9 runs from the northwest boundary with West Virginia to VA Route 7 near Paeonian Springs. The Loudoun Board of Supervisors has requested funds from the Commonwealth Transportation Board for a VA Route 9 Corridor Study for safety improvements with community input.

- **VA Route 287**, between the Potomac River near Brunswick, Maryland and Route 7 in Purcellville, will be kept as a two-lane minor arterial highway. The Town Council of Purcellville has requested funds from the Commonwealth Transportation Board for improvements to the interchange at VA Route 7 and VA Route 287 as well as extending Route 287 on the south side of Business Route 7 to Route 690 as the South Collector Road. Safety improvements will also be implemented on Route 287. One of these projects, an intersection at Route 287/663, has been funded.
- **All secondary roads (numbered 600 and above)** in the Rural Policy Area will be kept as two-lane paved roads or unpaved roads (approximately 331 miles unpaved in mid-year 2000) with only essential safety improvements to be undertaken with community input where required to provide adequate levels of service and safety. ~~Secondary rural paved roads should be considered for safety improvements under the "pave in place" policy, while the unpaved roads should be considered for road bind applications. Road bind is an ammonium lignosulfonate product. It has been tested on Route 613. Based on results, VDOT is initiating a pilot program in Loudoun County. Six unpaved road segments have been selected in cooperation with the Board of Supervisors. The savings in state funds from maintaining these roads without any capacity/widening improvements should be redirected to other roads in the Suburban or Transition Policy Areas that need or are planned for improvements. Legislation was passed during the 2001 State General Assembly that eliminates the penalty for shifting surface treatments on unpaved roads to other secondary road projects. Road improvements commensurate with impacts are expected to be provided by residential and non-residential developments along rural roads.~~

Amend "Unpaved Roads" text (Revised Countywide Transportation Plan, p. 3-10):

Loudoun County has a 331 mile-network of unpaved rural roads that reflects the County's agricultural heritage. Today, these unpaved rural roads, often tree lined with historic stone walls, are recognized by the vast majority of rural residents as a fundamental asset that should be preserved. The unpaved rural road network has a natural traffic calming effect that permits their shared use for horseback riding and hiking and contributes to the quality of life sought by rural households. They are recognized as adding to the rural character that attracts tourists. They also facilitate the safe, efficient movement of farm vehicles. The County is committed to the preservation of the unpaved rural road network in its present state with exception only for essential safety enhancements where possible, provided that adequate levels of service and safety are maintained.

In any case, paving most of the unpaved roads is cost prohibitive given the level of funding devoted to the Secondary Road Improvement Program (SRIP) and the higher priority the County assigns to roads in the Suburban and Transition Policy Areas. The latest estimates for paving these roads is \$1.5 million per mile. Even if the County chose to pave every road in Loudoun it would take more than a century to do so at current funding levels.

The County recognizes that the higher the traffic volumes on unpaved roads the higher the maintenance costs incurred by VDOT; however, the cost of maintaining all of the unpaved roads in Loudoun County is less than the cost of paving one mile of unpaved road. The *Revised General Plan* envisions the reduction of ~~reduces the~~ permitted rural densities in part to mitigate the additional costs that higher traffic volumes incur and to maintain adequate levels of service and safety on the unpaved roads. The rural paved road network often serves the collector road function for the unpaved roads. Rural Residential rezonings will be contingent on the ability to mitigate impacts on the road network created by the increased residential densities.

Add new text on the “Rural Policy Area Roads (Revised Countywide Transportation Plan, p. 3-11):
“Rustic Road” Program

VDOT manages a Rural Rustic Road Program for any unpaved secondary road that carries at least 50 but no more than 500 vehicles per day. The engineering standards in this program are designed to preserve the significant historic and environmental features of these low volume roadways, while limiting impacts to the rights-of-way of the existing roads. The following VDOT guidelines apply to the Rural Rustic Road program.

- Roadways must be unpaved and already within the State Secondary System
- Roadways must be a priority (line item) in an approved Secondary Six-Year Plan, even if the funding source is not from normal, secondary construction allocations.
- The Board of Supervisors, in consultation with VDOT’s Resident Engineer or designee, must designate by a specific resolution a road or road segment as a Rural Rustic Road.
- Roadway or roadway section must be predominately for local traffic use.
- The local nature of the road means that most motorists using the road have traveled it before and are familiar with its features.
- The Board of Supervisors will endeavor to limit growth on roads improved under the Rural Rustic Road program and cooperate with the Department through its comprehensive planning process to develop lands consistent with rural rustic road concepts.

Amend Policy 1 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-12):

1. Transportation facilities road improvements in the Rural Policy Area will be ~~primarily restricted to~~ focused on safety and adequate levels of service improvements in order to which will be designed to protect the rural character of the road network.

Amend Policy 10 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-12):

10. Secondary Roads (numbered 600 and above) in Loudoun’s Rural Policy Area will be maintained in their present condition as either paved or unpaved roads with only safety improvements to be undertaken on these roads. ~~Any savings in state funds would be redirected to other secondary roads in the Suburban and Transition Policy Areas.~~

Amend Policy 11 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-12):

11. The County will ~~seek to make only essential safety~~ consider improvements ~~on~~ to unpaved rural roads based on volumes, the nature of the road users (local vs. unfamiliar drivers), and accident data.

Amend Policy 13 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-12):

13. To protect and preserve the historic character of the historic roads in the southwestern part of the eCounty, the County ~~will designate the a~~ network of 32 historic roads, which will be is known as the “Beaverdam Historic Roadways District”, as a Historic Roadways District as provided for in the Zoning Ordinance. The Beaverdam Historic Roadways District is located south of Route 734 and north of Route 50 and is bounded to the east by Route 611 and to the west by the Blue Ridge Mountains and the Clarke and Loudoun County lines.

Delete Policy 17 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-13):

17. ~~The County will preserve its roads in the Rural Policy Area by applying road bind to maintain unpaved roads wherever this is consistent with traffic engineering, environmental, and other objectives.~~

Add new Policy 17 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-12):

17. In cases where unpaved roads must be paved, pave-in-place and rustic road standards will be used to the maximum extent possible.

Amend Policy 18 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-13):

18. The County will work with VDOT toward extensions and refinements to pave-in-place and rural rustic road legislation including its application to improvements to hard surfaced roads.

Amend Policy 19 under “Rural Roads Policies” (Revised Countywide Transportation Plan, p. 3-13):

19. The County will work with VDOT, and seek state enabling legislation if necessary, to provide rural road standards for safe travel by alternative road users such as buggies, horses, bicycles and pedestrians. The needs of rural tourism will be a major consideration.